REMARKS

This application has been carefully reviewed in light of the Office Action dated June 2, 2005. Claims 1 to 6, 9, 10, 12 to 16, 18 to 22, 52 to 54, 58, 59, 61, 69, 71 and 73 to 75 are in the application, of which Claims 1 and 75 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 6, 8 to 10, 12 to 18, 23 to 28, 30, 52 to 54, 60 to 66 and 68 to 72 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,211,870 (Foster). Claims 19 to 22, 59 and 67 were rejected under 35 U.S.C. § 102(e) over Foster, or in the alternative, under 35 U.S.C. § 103(a) over Foster. Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention relates to user interfaces, and more specifically to a user interface apparatus that enables a user to communicate with a desired device to cause the desired device to carry out a function. In one aspect of the present invention, device description data of the desired device is received from the desired device. Functions described in the received device description data are associated with candidates of user interface elements, and a user interface of the desired device is generated by laying out the candidates of the user interface elements associated with the described functions. In this way, the user interface apparatus is able to provide a user interface based on device description data received from the desired device.

With specific reference to the claims, independent Claim 1 defines a user interface apparatus for providing user interfaces corresponding to each of a plurality of different devices. The user interface apparatus comprises a data requester operable to

request device description data of a desired device, the device description data describing the functions that the desired device is capable of carrying out. The apparatus also comprises a receiver operable to receive the device description data of the desired device from the desired device. The apparatus also comprises an associator operable to associate the functions described in the received device description data with candidates of user interface elements, a generator operable to generate a user interface of the desired device by laying out the candidates of the user interface elements associated with the described functions by the associator, and a communicator operable to communicate with the desired device to cause the desired device to carry out a function selected by a user using the user interface generated by the generator.

The applied art is not seen to disclose or fairly suggest the features of Claim 1, and in particular, is not seen to disclose or suggest at least the features of both a receiver operable to receive the device description data of the desired device from the desired device and a communicator operable to communicate with the desired device to cause the desired device to carry out a function selected by a user using the user interface generated by said generator.

Foster relates to a computer-programmable remote control for controlling a multimedia processing unit. In a Learning Phase, the commands of the multimedia processing unit 300 are learned from the programmed remote control 200A that came with unit 300. (column 8, line 40 et seq. and Figures 6 and 7 and corresponding text of Foster). Specifically, "the individual keys of the programmed remote control 200A [are] learned" when the user aims remote control 200A at a transceiver 135 and presses the remote's

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keys. (column 8, line 40 to 42 and column 9, lines 12 to 24 of Foster). Alternatively, the remote control development software can learn the commands from a "Look Up" database of preconfigured screen objects. (column 8, lines 26 to 38; also see column 9, lines 46 to 56 and representation 721 of Figure 7 of Foster). The learned commands are used to prepare a screen object for transfer to programmable remote control unit 200. (column 11, lines 36 to 38).

As to the Office Action's characterization of Foster, Applicant submits the Office Action mischaracterizes Foster by confusing the programmed remote control 200A with the multimedia processing unit 300. Specifically, in its description of the Learning Phase of Foster, the Office Action equates programmed remote control 200A to a processor-controlled machine: "Foster teaches the receiver operable to receive the device description directly from a processor-controlled machine (Figures 5-6 and corresponding text)." (Office Action page 5). However, in its description of the Use Phase of Foster, the Office Action equates multimedia processing unit 300 to the processor-controlled machine: "Foster teaches . . . [a] communicator operable to communicate with the processor-controlled machine to cause the processor-controlled machine to carry out a function selected by the user . . . (Column 4, lines 48-50 and Use Phase, Col. 12, line 1 et seq.)" (Office Action page 3). While Foster clearly disclosed that the programmed remote control and the multimedia processing unit were two separate devices with separate functions, their functions were apparently inadvertently combined in the Office Action such that the separate devices were impermissibly treated as a single device. Such a combination of the functionality of the devices is neither disclosed nor suggested by Foster.

In sum, Foster's remote control development software arguably receives

commands from programmed remote control 200A or from a database of preconfigured

screen objects. However, in the absence of the impermissible combination of the functions

of several devices as described above, programmed remote control 200A cannot fairly be

characterized as the processor-controlled machine that carries out the communicated

function. In this light, Foster is also not seen to disclose or suggest a receiver operable to

receive data from the desired device, much less disclose or suggest a receiver operable to

receive device description data of the desired device from the desired device. Accordingly,

Claim 1 is believed to be allowable.

Claim 75 is a method claim corresponding, generally, to the apparatus of

Claim 1. For reasons similar to those discussed above, the applied art is not seen to

disclose or fairly suggest the features of Claim 75, and in particular, is not seen to disclose

or suggest the features of receiving the device description data of the desired device from

the desired device and communicating with the desired device to cause the desired device

to carry out a function selected by a user using the user interface generated by said

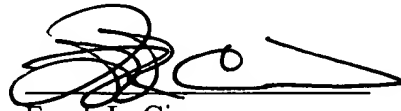generating step. Accordingly, Claim 75 is believed to be allowable.

The other claims in the application are each dependent from the independent

claims and are believed to be allowable over the applied references for at least the same

reasons. Because each dependent claim is deemed to define an additional aspect of the

invention, however, the individual consideration of each on its own merits is respectfully

requested.

No other matters being raised, it is believed that the entire application is

fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa,
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Respectfully submitted,

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